

REMARKS

Entry of the above amendments and below remarks is respectfully requested in order to place this application in condition for allowance.

Claim objections

Claim 5 was objected to for use of the term ‘capability’ rather than ‘probability.’ Applicants have amended claim 5 to correct this oversight. The Examiner is thanked for the thorough review of the claims.

Rejections under 35 U.S.C. §103 and Allowable Subject Matter

Claims 1,2,6-8,10,11,14,15,17-19,21-23,25 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gracon (US App. 2002/0110134). It is assumed that the Examiner meant to state that the rejection was over Gracon in view of Barri, as Barri is discussed by the Examiner in the remarks.

Claims 3 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gracon in view of Barri as applied to claims 1 and 14 above and further in view of Cloonan. Claims 5, 12, 13, 20, 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gracon in view of Barri and further in view of Bonneau.

The Examiner has indicated that claims 9 and 24 would be allowable if re-written in independent form. In order only to expedite allowance of this application, and not by way of agreement with any of the Examiner’s arguments, Applicant has amended claim 1 to include the

limitations of claim 9, and has amended claim 14 to include the limitations of claim 24. Thus all claims are now in condition for allowance. A notice to this affect is hereby requested.

Conclusion

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

August 3, 2006
Date _____ /Lindsay McGuinness/
Lindsay G. McGuinness, Reg. No. 38,549
Attorney/Agent for Applicant(s)
McGuinness & Manaras LLP
125 Nagog Park
Acton, MA 01720
(978) 264-6664

Docket No. 120-236
Dd: 8/27/2006